

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

| | | |
|---------------------------|---|------------------------------|
| RICHARD G. LOPEZ, ET AL., | § | |
| | § | |
| Plaintiffs, | § | |
| | § | Civil Action No. 2:11-cv-402 |
| VS. | § | |
| | § | JURY TRIAL DEMANDED |
| | § | |
| TRIPLE D SECURITY, | § | |
| | § | |
| Defendant. | § | |

PLAINTIFFS' NOTICE CONCERNING MEDIATION

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Plaintiffs file this Notice Concerning Mediation, pursuant to this Court's order, and show as follows:

1. Plaintiffs advise the Court that, through their counsel, they contacted Defendant concerning mediation and that Defendant, through its counsel, agreed to mediation.

2. Plaintiffs also agree to mediation but delayed filing this notice because Plaintiffs agreed to mediation with the proviso that Defendants expressly agree to participate in good faith and acknowledge that damages for unpaid OT wages must be paid, together with costs and attorney's fees, and that the only room for negotiation be limited to the 3rd year for statute of limitation and liquidated

damages, as provided by the FLSA. Plaintiffs interpret the Defendant's email to the Court of this day as an agreement to this proviso.

Respectfully submitted,

s/Jon D. Brooks

Jon D. Brooks

Attorney-in-Charge

Southern District ID 24936

State Bar No. 24004563

400 Mann Street, Suite 1001

Corpus Christi, Texas 78401

361.885.7710

361.885.7716 (facsimile)

jbrooks@brookslp.com

Attorneys for Plaintiff

Certificate of Service

I hereby certify that the foregoing document was served upon all counsel of record on the 3rd day of August 2012, by electronic mail from the Clerk of the Court, as provided by the rules.

Michael V. Galo, Jr.
Galo Law Firm, P.C.
4230 Gardendale, Bldg. 401
San Antonio, Texas 78229

s/Jon D. Brooks

Jon D. Brooks